

Calendar No. 244

105TH CONGRESS
1ST Session

S. 1228

[Report No. 105-130]

A BILL

To provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

OCTOBER 31, 1997

Reported with an amendment

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1ST SESSION**S. 1228****[Report No. 105–130]**

To provide for a 10-year circulating commemorative coin program to
commemorate each of the 50 States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 1997

Mr. CHAFEE (for himself, Mr. D'AMATO, Mr. BROWNBACK, Mr. CRAIG, Mr. KEMPTHORNE, Mr. BENNETT, Mr. INOUE, Mr. MOYNIHAN, Mr. FRIST, Ms. MOSELEY-BRAUN, Mr. COCHRAN, Mr. FAIRCLOTH, Mr. KERRY, Mr. JOHNSON, Mr. SANTORUM, Mr. ALLARD, Mr. ROTH, Mr. DOMENICI, Mr. KENNEDY, Mr. DODD, Mr. KERREY, Mr. GRAMS, Mr. HUTCHINSON, Ms. SNOWE, Mr. HELMS, Mr. ROCKEFELLER, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

OCTOBER 31, 1997

Reported by Mr. D'AMATO, with an amendment

[Insert the part printed in *italic*]

A BILL

To provide for a 10-year circulating commemorative coin
program to commemorate each of the 50 States, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “50 States Commemo-
3 rative Coin Program Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) it is appropriate and timely—

7 (A) to honor the unique Federal republic
8 of 50 States that comprise the United States;
9 and

10 (B) to promote the diffusion of knowledge
11 among the youth of the United States about the
12 individual States, their history and geography,
13 and the rich diversity of the national heritage;

14 (2) the circulating coinage of the United States
15 has not been modernized during the 25-year period
16 preceding the date of enactment of this Act;

17 (3) a circulating commemorative 25-cent coin
18 program could produce earnings of \$110,000,000
19 from the sale of silver proof coins and sets over the
20 10-year period of issuance, and would produce indi-
21 rect earnings of an estimated \$2,600,000,000 to
22 \$5,100,000,000 to the United States Treasury,
23 money that will replace borrowing to fund the na-
24 tional debt to at least that extent; and

25 (4) it is appropriate to launch a commemorative
26 circulating coin program that encourages young peo-

1 ple and their families to collect memorable tokens of
 2 all of the States for the face value of the coins.

3 **SEC. 3. ISSUANCE OF REDESIGNED QUARTER DOLLARS**
 4 **OVER 10-YEAR PERIOD COMMEMORATING**
 5 **EACH OF THE 50 STATES.**

6 Section 5112 of title 31, United States Code, is
 7 amended by inserting after subsection (k) the following
 8 new subsection:

9 “(l) REDESIGN AND ISSUANCE OF QUARTER DOLLAR
 10 IN COMMEMORATION OF EACH OF THE 50 STATES.—

11 “(1) REDESIGN BEGINNING IN 1999.—

12 “(A) IN GENERAL.—Notwithstanding the
 13 fourth sentence of subsection (d)(1) and sub-
 14 section (d)(2), quarter dollar coins issued dur-
 15 ing the 10-year period beginning in 1999, shall
 16 have designs on the reverse side selected in ac-
 17 cordance with this subsection which are em-
 18 blematic of the 50 States.

19 “(B) TRANSITION PROVISION.—Notwith-
 20 standing subparagraph (A), the Secretary may
 21 continue to mint and issue quarter dollars in
 22 1999 which bear the design in effect before the
 23 redesign required under this subsection and an
 24 inscription of the year ‘1998’ as required to en-

1 sure a smooth transition into the 10-year pro-
2 gram under this subsection.

3 “(2) SINGLE STATE DESIGNS.—The design on
4 the reverse side of each quarter dollar issued during
5 the 10-year period referred to in paragraph (1) shall
6 be emblematic of 1 of the 50 States.

7 “(3) ISSUANCE OF COINS COMMEMORATING 5
8 STATES DURING EACH OF THE 10 YEARS.—

9 “(A) IN GENERAL.—The designs for the
10 quarter dollar coins issued during each year of
11 the 10-year period referred to in paragraph (1)
12 shall be emblematic of 5 States selected in the
13 order in which such States ratified the Con-
14 stitution of the United States or were admitted
15 into the Union, as the case may be.

16 “(B) NUMBER OF EACH OF 5 COIN DE-
17 SIGNS IN EACH YEAR.—Of the quarter dollar
18 coins issued during each year of the 10-year pe-
19 riod referred to in paragraph (1), the Secretary
20 of the Treasury shall prescribe, on the basis of
21 such factors as the Secretary determines to be
22 appropriate, the number of quarter dollars
23 which shall be issued with each of the 5 designs
24 selected for such year.

25 “(4) SELECTION OF DESIGN.—

1 “(A) IN GENERAL.—Each of the 50 de-
 2 signs required under this subsection for quarter
 3 dollars shall be—

4 “(i) selected by the Secretary after
 5 consultation with—

6 “(I) the Governor of the State
 7 being commemorated, or such other
 8 State officials or group as the State
 9 may designate for such purpose; and

10 “(II) the Commission of Fine
 11 Arts; and

12 “(ii) reviewed by the Citizens Com-
 13 memorative Coin Advisory Committee.

14 “(B) SELECTION AND APPROVAL PROC-
 15 ESS.—Designs for quarter dollars may be sub-
 16 mitted in accordance with the design selection
 17 and approval process developed by the Sec-
 18 retary in the sole discretion of the Secretary.

19 “(C) PARTICIPATION.—The Secretary may
 20 include participation by State officials, artists
 21 from the States, engravers of the United States
 22 Mint, and members of the general public.

23 “(D) STANDARDS.—Because it is impor-
 24 tant that the Nation’s coinage and currency
 25 bear dignified designs of which the citizens of

1 the United States can be proud, the Secretary
2 shall not select any frivolous or inappropriate
3 design for any quarter dollar minted under this
4 subsection.

5 “(E) PROHIBITION ON CERTAIN REP-
6 RESENTATIONS.—No head and shoulders por-
7 trait or bust of any person, living or dead, and
8 no portrait of a living person may be included
9 in the design of any quarter dollar under this
10 subsection.

11 “(5) TREATMENT AS NUMISMATIC ITEMS.—For
12 purposes of sections 5134 and 5136, all coins mint-
13 ed under this subsection shall be considered to be
14 numismatic items.

15 “(6) ISSUANCE.—

16 “(A) QUALITY OF COINS.—The Secretary
17 may mint and issue such number of quarter
18 dollars of each design selected under paragraph
19 (4) in uncirculated and proof qualities as the
20 Secretary determines to be appropriate.

21 “(B) SILVER COINS.—Notwithstanding
22 subsection (b), the Secretary may mint and
23 issue such number of quarter dollars of each
24 design selected under paragraph (4) as the Sec-

1 retary determines to be appropriate, with a con-
2 tent of 90 percent silver and 10 percent copper.

3 “(C) SOURCES OF BULLION.—The Sec-
4 retary shall obtain silver for minting coins
5 under subparagraph (B) from available re-
6 sources, including stockpiles established under
7 the Strategic and Critical Materials Stock Pil-
8 ing Act.

9 “(7) APPLICATION IN EVENT OF THE ADMIS-
10 SION OF ADDITIONAL STATES.—If any additional
11 State is admitted into the Union before the end of
12 the 10-year period referred to in paragraph (1), the
13 Secretary of the Treasury may issue quarter dollar
14 coins, in accordance with this subsection, with a de-
15 sign which is emblematic of such State during any
16 1 year of such 10-year period, in addition to the
17 quarter dollar coins issued during such year in ac-
18 cordance with paragraph (3)(A).”.

19 **SEC. 4. UNITED STATES DOLLAR COINS.**

20 (a) *SHORT TITLE.*—*This section may be cited as the*
21 *“United States \$1 Coin Act of 1997”.*

22 (b) *WEIGHT.*—*Section 5112(a)(1) of title 31, United*
23 *States Code, is amended by striking “and weighs 8.1*
24 *grams”.*

1 (c) *COLOR AND CONTENT*.—Section 5112(b) of title 31,
2 *United States Code*, is amended—

3 (1) *in the first sentence, by striking “dollar,”;*
4 *and*

5 (2) *by inserting after the fourth sentence the fol-*
6 *lowing: “The dollar coin shall be golden in color, have*
7 *a distinctive edge, have tactile and visual features*
8 *that make the denomination of the coin readily dis-*
9 *cernible, be minted and fabricated in the United*
10 *States, and have similar metallic, anti-counterfeiting*
11 *properties as United States clad coinage in circula-*
12 *tion on the date of enactment of the United States \$1*
13 *Coin Act of 1997.”.*

14 (d) *DESIGN*.—Section 5112(d)(1) of title 31, *United*
15 *States Code*, is amended by striking the fifth and sixth sen-
16 *tences and inserting the following: “The Secretary of the*
17 *Treasury, in consultation with the Congress, shall select ap-*
18 *propriate designs for the obverse and reverse sides of the*
19 *dollar coin.”.*

20 (e) *PRODUCTION OF NEW DOLLAR COINS*.—

21 (1) *IN GENERAL*.—Upon the depletion of the
22 *Government’s supply (as of the date of enactment of*
23 *this Act) of \$1 coins bearing the likeness of Susan B.*
24 *Anthony, the Secretary of the Treasury shall place*
25 *into circulation \$1 coins that comply with the re-*

1 *quirements of subsections (b) and (d)(1) of section*
2 *5112 of title 31, United States Code, as amended by*
3 *this section.*

4 (2) *AUTHORITY OF SECRETARY TO CONTINUE*
5 *PRODUCTION.—If the supply of \$1 coins bearing the*
6 *likeness of Susan B. Anthony is depleted before pro-*
7 *duction has begun of \$1 coins which bear a design*
8 *which complies with the requirements of subsections*
9 *(b) and (d)(1) of section 5112 of title 31, United*
10 *States Code, as amended by this section, the Secretary*
11 *of the Treasury may continue to mint and issue \$1*
12 *coins bearing the likeness of Susan B. Anthony in ac-*
13 *cordance with that section 5112 (as in effect on the*
14 *day before the date of enactment of this Act) until*
15 *such time as production begins.*

16 (3) *NUMISMATIC SETS.—The Secretary may in-*
17 *clude such \$1 coins in any numismatic set produced*
18 *by the United States Mint before the date on which*
19 *the \$1 coins authorized by this section are placed in*
20 *circulation.*

21 (f) *MARKETING PROGRAM.—*

22 (1) *IN GENERAL.—Before placing into circula-*
23 *tion \$1 coins authorized under this section, the Sec-*
24 *retary of the Treasury shall adopt a program to pro-*
25 *mote the use of such coins by commercial enterprises,*

1 *mass transit authorities, and Federal, State, and*
 2 *local government agencies.*

3 (2) *STUDY REQUIRED.*—*The Secretary of the*
 4 *Treasury shall conduct a study on the progress of the*
 5 *marketing program adopted in accordance with para-*
 6 *graph (1).*

7 (3) *REPORT.*—*Not later than March 31, 2001,*
 8 *the Secretary of the Treasury shall submit a report to*
 9 *the Congress on the results of the study conducted*
 10 *pursuant to paragraph (2).*

11 **SEC. 5. FIRST FLIGHT COMMEMORATIVE COINS.**

12 (a) *COIN SPECIFICATIONS.*—

13 (1) *DENOMINATIONS.*—*The Secretary of the*
 14 *Treasury (hereafter in this section referred to as the*
 15 *“Secretary”) shall mint and issue the following coins:*

16 (A) *\$10 GOLD COINS.*—*Not more than*
 17 *100,000 \$10 coins, each of which shall—*

18 (i) *weigh 16.718 grams;*

19 (ii) *have a diameter of 1.06 inches;*

20 *and*

21 (iii) *contain 90 percent gold and 10*
 22 *percent alloy.*

23 (B) *\$1 SILVER COINS.*—*Not more than*
 24 *500,000 \$1 coins, each of which shall—*

25 (i) *weigh 26.73 grams;*

1 (ii) have a diameter of 1.500 inches;

2 and

3 (iii) contain 90 percent silver and 10

4 percent copper.

5 (C) *HALF DOLLAR CLAD COINS.*—Not more

6 than 750,000 half dollar coins each of which

7 shall—

8 (i) weigh 11.34 grams;

9 (ii) have a diameter of 1.205 inches;

10 and

11 (iii) be minted to the specifications for

12 half dollar coins contained in section

13 5112(b) of title 31, United States Code.

14 (b) *LEGAL TENDER.*—The coins minted under this sec-

15 tion shall be legal tender, as provided in section 5103 of

16 title 31, United States Code.

17 (c) *SOURCES OF BULLION.*—The Secretary shall ob-

18 tain gold and silver for minting coins under this section

19 pursuant to the authority of the Secretary under other pro-

20 visions of law, including authority relating to the use of

21 silver stockpiles established under the Strategic and Critical

22 Materials Stockpiling Act, as applicable.

23 (d) *DESIGN OF COINS.*—

24 (1) *DESIGN REQUIREMENTS.*—

1 (A) *IN GENERAL.*—*The design of the coins*
 2 *minted under this section shall be emblematic of*
 3 *the first flight of Orville and Wilbur Wright in*
 4 *Kitty Hawk, North Carolina, on December 17,*
 5 *1903.*

6 (B) *DESIGNATION AND INSCRIPTIONS.*—*On*
 7 *each coin minted under this section there shall*
 8 *be—*

9 (i) *a designation of the value of the*
 10 *coin;*

11 (ii) *an inscription of the year “2003”;*
 12 *and*

13 (iii) *inscriptions of the words “Lib-*
 14 *erty”, “In God We Trust”, “United States*
 15 *of America”, and “E Pluribus Unum”.*

16 (2) *SELECTION.*—*The design for the coins mint-*
 17 *ed under this section shall be—*

18 (A) *selected by the Secretary after consulta-*
 19 *tion with the Board of Directors of the First*
 20 *Flight Foundation and the Commission of Fine*
 21 *Arts; and*

22 (B) *reviewed by the Citizens Commemora-*
 23 *tive Coin Advisory Committee.*

24 (e) *PERIOD FOR ISSUANCE OF COINS.*—*The Secretary*
 25 *may issue coins minted under this section only during the*

1 *period beginning on August 1, 2003, and ending on July*
2 *31, 2004.*

3 *(f) SALE OF COINS.—*

4 *(1) SALE PRICE.—The coins issued under this*
5 *section shall be sold by the Secretary at a price equal*
6 *to the sum of—*

7 *(A) the face value of the coins;*

8 *(B) the surcharge provided in paragraph*
9 *(4) with respect to such coins; and*

10 *(C) the cost of designing and issuing the*
11 *coins (including labor, materials, dies, use of*
12 *machinery, overhead expenses, marketing, and*
13 *shipping).*

14 *(2) BULK SALES.—The Secretary shall make*
15 *bulk sales of the coins issued under this section at a*
16 *reasonable discount.*

17 *(3) PREPAID ORDERS.—*

18 *(A) IN GENERAL.—The Secretary shall ac-*
19 *cept prepaid orders for the coins minted under*
20 *this section before the issuance of such coins.*

21 *(B) DISCOUNT.—Sale prices with respect to*
22 *prepaid orders under subparagraph (A) shall be*
23 *at a reasonable discount.*

24 *(4) SURCHARGES.—All sales shall include a sur-*
25 *charge of—*

1 (A) \$35 per coin for the \$10 coin;

2 (B) \$10 per coin for the \$1 coin; and

3 (C) \$1 per coin for the half dollar coin.

4 (5) *MARKETING EXPENSES.*—*The Secretary shall*
5 *ensure that—*

6 (A) *a plan is established for marketing the*
7 *coins minted under this section; and*

8 (B) *adequate funds are made available to*
9 *cover the costs of carrying out that marketing*
10 *plan.*

11 (g) *GENERAL WAIVER OF PROCUREMENT REGULA-*
12 *TIONS.*—

13 (1) *IN GENERAL.*—*Except as provided in para-*
14 *graph (2), no provision of law governing procurement*
15 *or public contracts shall be applicable to the procure-*
16 *ment of goods and services necessary for carrying out*
17 *the provisions of this Act.*

18 (2) *EQUAL EMPLOYMENT OPPORTUNITY.*—*Para-*
19 *graph (1) does not relieve any person entering into a*
20 *contract under the authority of this section from com-*
21 *plying with any law relating to equal employment*
22 *opportunity.*

23 (h) *TREATMENT AS NUMISMATIC ITEMS.*—*For pur-*
24 *poses of sections 5134 and 5136 of title 31, United States*

1 *Code, all coins minted under this subsection shall be consid-*
 2 *ered to be numismatic items.*

3 *(i) DISTRIBUTION OF SURCHARGES.—*

4 *(1) IN GENERAL.—Subject to section 5134 of title*
 5 *31, United States Code, all surcharges received by the*
 6 *Secretary from the sale of coins issued under this sec-*
 7 *tion shall be promptly paid by the Secretary to the*
 8 *First Flight Foundation for the purposes of—*

9 *(A) repairing, refurbishing, and maintain-*
 10 *ing the Wright Brothers Monument on the Outer*
 11 *Banks of North Carolina; and*

12 *(B) expanding (or, if necessary, replacing)*
 13 *and maintaining the visitor center and other fa-*
 14 *cilities at the Wright Brothers National Memo-*
 15 *rial Park on the Outer Banks of North Carolina,*
 16 *including providing educational programs and*
 17 *exhibits for visitors.*

18 *(2) AUDITS.—The Comptroller General of the*
 19 *United States shall have the right to examine such*
 20 *books, records, documents, and other data of the First*
 21 *Flight Foundation as may be related to the expendi-*
 22 *tures of amounts paid under paragraph (1).*

23 *(j) FINANCIAL ASSURANCES.—The Secretary shall take*
 24 *such actions as may be necessary to ensure that minting*

- 1 *and issuing coins under this section will not result in any*
- 2 *net cost to the United States Government.*